

P-01 W

**FACSIMILE TRANSMISSION
TO THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Office of Finance, Maintenance Fee Branch
(571) 273-6500**

**RECEIVED
MAR 31 2009
OFFICE OF PETITIONS**

TO: Tasha Coates
TELEPHONE NUMBER (571) 272-6502
ART UNIT _____
PATENT NO. 6929007

FROM: Michael W. Haas
REGISTRATION NUMBER: 35,174

**PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NEW YORK 10510**

I certify that this document consisting of 5 pages (including this cover sheet) is being transmitted via facsimile to the United States Patent and Trademark Office at the telephone number set forth above on March 27, 2009.

Neemi Chapa
Fax Operator (914 333-9620)

011262 11A44
UNITED STATES PATENT AND TRADEMARK OFFICE

PTO-211 (03-08)

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.govPHILIPS RESEARCH
345 SCARBOROUGH ROAD
BRIARCLIFF MANOR, NY 10510

February 11, 2009

NOTICE OF OVERPAYMENT OF PATENT MAINTENANCE FEE

REGARDING PATENT NUMBER: 6929007Payment Amount Received: \$ 980.00Payment Year: 3.5 (e.g., 3.5, 7.5, 11.5)PAYMENT RECEIPT DATE (Mailroom Date Stamp): 02/06/2009

The United States Patent and Trademark Office (USPTO) acknowledges receipt of your maintenance fee payment for the above-identified patent in the large entity amount. USPTO records indicate that patentee is a small entity. The payment of a large entity fee is not sufficient to change the status of a patent from small to large entity.

Absent a timely reply to this Notice the USPTO will:

- (1) apply the small entity maintenance fee payment amount to the patent; and
- (2) refund the overpayment amount.

If patentee is entitled to small entity status, NO reply to this Notice is necessary.

☐ If this box is marked, the application number was not identified or did not correspond to the above cited patent number.

Reply by Large Entity Patentee

If patentee is a large entity, a written notification of change in status from small to large entity must be filed and signed by all of the inventors, a registered attorney or agent, or the assignee(s) of the entire interest (37 CFR 1.27(g)(2)). If such a written notification was previously filed, then a copy of the written notification along with evidence of receipt in the USPTO (e.g., postcard receipt) may be submitted instead. A written notification must be filed within the time period for reply specified below to prevent a refund of the "overpayment amount" and possible patent expiration. See MPEP 2531.

☐ If this box is marked, your payment was not sufficient and additional money is required to accompany the reply to this Notice. Contact the individual who has signed below for the current amount that is due.

Time Period for Reply by Large Entity Patentee

If the amount of your payment was sufficient, the reply to this Notice must be filed within ONE MONTH from the date of this Notice. No extensions of time under 37 CFR 1.136(a) or (b) are available.

If the amount of your payment was not sufficient, the reply to this Notice must be filed within the earlier of: (1) any time period remaining for payment of the maintenance fee including the grace period provided in 37 CFR 1.362(e); or (2) ONE MONTH from the date of this Notice. In addition, if the reply is filed during the grace period specified under 37 CFR 1.362(e), but the surcharge has not been paid, payment of the surcharge is also required. No extensions of time under 37 CFR 1.136(a) or (b) are available.

The reply to this Notice may be sent by facsimile to the Office of Finance, Maintenance Fee Branch at (571) 273-6500, or by mail to: Mail Stop M Correspondence, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450.

The reply should be sent to the attention of the individual who has signed below. A copy of this notice MUST be returned with the reply.

If you have any questions regarding this Notice, contact the Office of Finance, Maintenance Fee Branch at (571) 272-6500. Please ask for the individual who has signed below.

Tasha Coates (571) 272-6502

Printed Name of USPTO Representative


Signature of USPTO Representative

NOTE: All USPTO fees (including patent maintenance fees) are subject to change. If you are making a maintenance fee payment, visit the www.uspto.gov website or contact the Office of Finance to verify your payment amount. A reply to this Notice can be timely made using the certificate of mailing or transmission procedure set forth in 37 CFR 1.8.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT of

Inventor : EMERSON
Patent No. : 6,929,007
Issued: : August 16, 2005
Appln. No. : 10/657,424
Conf. No. : 9033
Filed: : September 3, 2003
Title: : INSUFFLATION-EXSUFFLATION SYSTEM WITH
PERCUSSIVE ASSIST FOR REMOVAL OF BRONCHO-
PULMONARY SECRETIONS
Group Art Unit : 3743
Docket No. : 011262US1

03/30/2009 TCOATES 00000002 141270 6929007 *

01 FC:1559 620.00 DA

March 27, 2009

**NOTIFICATION OF LOSS OF SMALL ENTITY STATUS
PURSUANT TO 37 C.F.R. § 1.27(g)(2)**

and

RESPONSE TO NOTICE OF OVERPAYMENT OF MAINTENANCE FEE**VIA FACSIMILE NO. 571-273-6500**

Attn: Tasha Coates

Office of Finance: Maintenance Fee Branch

Commissioner of Patents and Trademarks

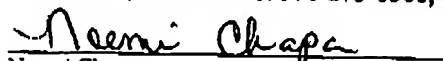
Alexandria, VA 22313-1450

Sir:

This Notification is provided in response to the Notice of Overpayment of Patent Maintenance Fee dated February 11, 2009. It is noted that the one-month period for responding to this notice has elapsed. Accordingly, the Commissioner is hereby authorized to charge

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via facsimile to the United States Patent and Trademark Office, attention Tasha Coates, Office of Finance: Maintenance Fee Branch, facsimile no. 571-273-6500, on March 27, 2009.


Noemi Chapa

EMMERSON – Patent. No.: 6,929,007

surcharge for late payment of maintenance fee under 37 C.F.R. § 1.20 to deposit account no. 14-1270.

As required by 37 C.F.R. § 1.27(g)(2), applicant hereby asserts, in writing, that the patent identified above is no longer entitled to small entity status. This patent lost entitlement to small entity status due to the merger of the Assignee of this patent with a large entity corporation on April 3, 2007, giving the large entity rights to this patent.

The first maintenance fee in the large entity amount for payment year 3.5 was submitted on February 6, 2009 in the amount of \$980.00 as required by 37 C.F.R. § 1.20(e). Because the Notice of Loss of Small Entity Status was not filed with the payment of this maintenance fee, the USPTO issued the February 11, 2009 Notice of Overpayment of Maintenance Fee and refunded the amount of the overpayment, i.e., \$490.00.

Applicant hereby authorizes the Commissioner to charge the large entity amount of \$980.00 for payment year 3.5, as required by 37 C.F.R. § 1.20(e) and/or to charge the difference between (a) the large entity amount of \$980.00 and (b) the payment made on February 6, 2009 that was not refunded to deposit account no. 14-1270. As noted above, the Commissioner is also hereby authorized to charge surcharge for late payment of maintenance fee under 37 C.F.R. § 1.20 to deposit account no. 14-1270.

Applicant submits that by this Response, the status of this patent has been correctly identified as being a large entity status, the Commissioner has been authorized to charge any deficiency in the 3.5 year maintenance fee to deposit account no. 14-1270, and the Commissioner has been authorized to charge the surcharge for late payment of maintenance fee under 37 C.F.R. § 1.20 to deposit account no. 14-1270.

EMMERSON — Patent. No.: 6,929,007

As all requirement for the payment of the 3.5 year maintenance fee in the large entity amount have been met, applicant awaits receipt of a Maintenance Fee Statement indicating that the 3.5 year maintenance fee has been paid under large entity status.

Respectfully submitted,

By /Michael W. Haas/

Michael W. Haas

Reg. No.: 35,174

Tel. No.: (724) 387-5026

Fax No.: (724) 387-5021

Philips Intellectual Property & Standards
1010 Murry Ridge Lane
Murrysville, PA 15668-8525